# **FILED**

### NOT FOR PUBLICATION

NOV 16 2005

# CATHY A. CATTERSON, CLERK U.S. COURT OF APPEALS

## UNITED STATES COURT OF APPEALS

#### FOR THE NINTH CIRCUIT

JOSE BENJAMIN SERRANO-CAMPOS,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney General,

Respondent.

No. 04-72083

Agency No. A72-676-105

MEMORANDUM\*

On Petition for Review of an Order of the Board of Immigration Appeals

Submitted November 8, 2005\*\*

Before: WALLACE, LEAVY, and BERZON, Circuit Judges.

Jose Benjamin Serrano-Campos, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' decision adopting and affirming an Immigration Judge's ("IJ") order denying his applications for asylum

<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

and withholding of removal. We have jurisdiction pursuant to 8 U.S.C. § 1252. Reviewing for substantial evidence, *He v. Ashcroft*, 328 F.3d 593, 595-96 (9th Cir. 2003), we deny the petition for review.

Substantial evidence supports the IJ's conclusion that the destruction of Serrano-Campos's home when he was a child, and his subsequent displacement, was not, even in part, on account of a protected ground, but rather was the result of civil strife in El Salvador. *See Knezevic v. Ashcroft*, 367 F.3d 1206, 1211-12 (9th Cir. 2004) (recognizing that displacement "by the inevitable ravages of war" does not constitute past persecution on account of a protected ground). Serrano-Campos's claim of a well-founded fear of future persecution fails for the same reason. *See Rostomian v. INS*, 210 F.3d 1088, 1089 (9th Cir. 2000) (prior incidents of violence between Azeris and Armenians during a period of significant strife, combined with continuing animosity between the two groups, did not establish well-founded fear of future persecution).

Accordingly, Serrano-Campos has failed to show eligibility for asylum or withholding of removal. *See id*.

The voluntary departure period was stayed, and that stay will expire upon issuance of the mandate. *See Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004).

#### PETITION FOR REVIEW DENIED.